

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS

NOV 14 2018

UNITED STATES OF AMERICA

v.

DANIEL WAYNE McCORMICK

§
§
§
§
§

NO. 6:18-CR-68
JRG/JDL

BY
DEPUTY _____

INDICTMENT

THE UNITED STATES GRAND JURY CHARGES:

Counts 1 - 10

Violation: 18 U.S.C. §§ 2251(a)
and (e) (Sexual Exploitation of
Children)

On or about the dates set forth below, in the Eastern District of Texas, the defendant, **Daniel Wayne McCormick**, did knowingly employ, use, persuade, induce, entice, and coerce a minor to engage in sexually explicit conduct for the purpose of producing any visual depiction of such conduct, which visual depiction was produced using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer. Specifically, the defendant, **Daniel Wayne McCormick**, did employ, use, persuade, induce, entice, and coerce Victim 1, a minor known to the grand jury, to engage in sexually explicit conduct for the purpose of producing visual depictions of such conduct, and in so doing, produced the depictions described below. Each of the visual depictions is a video of the exposed genital area of Victim 1.

Some of the visual depictions also depict the defendant, **Daniel Wayne McCormick**,
Indictment – Page 1

intentionally touching the genitalia of Victim 1 or digitally penetrating Victim 1's vagina. In producing the visual depictions, the defendant used, among other things, a Hewlett-Packard laptop computer, serial number 5CD4443YX8:

Count	Date	File Name
1	June 18, 2018	xxxxxx sleep.mp4
2	June 22, 2018	GOPR6296.MP4
3	June 22, 2018	GOPR6295.MP4
4	June 23, 2018	IMG_1155.MOV
5	June 23, 2018	IMG_1165.MOV
6	June 23, 2018	IMG_1166.MOV
7	June 23, 2018	IMG_1167.MOV
8	June 23, 2018	IMG_1169.MOV
9	June 30, 2018	IMG_1161.MOV
10	August 17, 2018	IMG_1170.MOV

All in violation of 18 U.S.C. §§ 2251(a) and (e).

NOTICE OF INTENT TO SEEK CRIMINAL FORFEITURE

Pursuant to 18 U.S.C. § 2253

1. The allegations contained in Counts 1 through 10 of this indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to 18 U.S.C. § 2253.

2. Pursuant to 18 U.S.C. § 2253, upon conviction of an offense in violation of 18 U.S.C. § 2251, the defendant, **Daniel Wayne McCormick**, shall forfeit to the United States of America:

- a. Any visual depiction described in 18 U.S.C. § 2251, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of Title 18, United States Code, Chapter 110;
- b. Any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from the offense; and
- c. Any property, real or personal, used or intended to be used to commit or to promote the commission of the offense.

The property to be forfeited includes, but is not limited to, the following:

- a. An HP laptop computer, bearing serial number 5CD4443YX8;
- b. An iPad, 16GB, bearing serial number DLXH7TGQDFHW;

c. A Go-Pro camera, bearing serial number 28410028;

d. Nine flash drives.

3. If any of the property described above, as a result of any act or omission of the defendants:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third party;

c. has been placed beyond the jurisdiction of the court;

d. has been substantially diminished in value; or

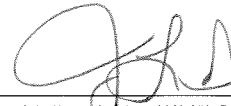
e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 2253(b) and by 28 U.S.C. § 2461(c).

4. By virtue of the commission of the offenses alleged in this indictment, any and all interest the defendant has in the above-described property is vested in the United States and hereby forfeited to the United States pursuant to 18 U.S.C. § 2253.

All pursuant to 18 U.S.C. § 2253 and the procedures set forth at 21 U.S.C. § 853, as made applicable through 18 U.S.C. § 2253(b).

A TRUE BILL



GRAND JURY FOREPERSON



Date

JOSEPH D. BROWN
UNITED STATES ATTORNEY



ALAN R. JACKSON
ASSISTANT UNITED STATES ATTORNEY

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NOTICE OF PENALTY

Counts 1 - 10

VIOLATION: 18 U.S.C. §§ 2251(a) and (e)
Sexual Exploitation of Children

PENALTY: Imprisonment of not less than fifteen (15) years nor more
than thirty (30) years; a fine not to exceed \$250,000; or both
such imprisonment and fine; and a term of supervised release
of not less than five (5) years to life.

SPECIAL ASSESSMENT: \$100.00